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BSH HOME APPLIANCES CORPORATION

[Additional Counsel Listed on Signature Page]

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**  
**SOUTHERN DIVISION**

DIANA TAIT, et al., individually and )  
on behalf of all others similarly situated, )

Plaintiffs, )

vs. )

BSH HOME APPLIANCES )  
CORPORATION, a Delaware )  
Corporation, )

Defendant. )

Case No. SACV10-711 DOC (ANx)

**JOINT STIPULATION TO  
AMEND SCHEDULING ORDER**

*Assigned to:*  
District Judge: David O. Carter  
Courtroom 9D

Discovery Magistrate Judge:  
Arthur Nakazato

Pursuant to this Court's June 16, 2014 Order Granting in Part Plaintiffs' Ex Parte Application [Dkt. 223], Plaintiffs Sharon Cobb, Dennis Demereckis, Beverly Gibson, Trish Isabella, and Nancy Wentworth, and Defendant BSH Home Appliances Corporation (collectively the "Parties"), through their respective counsel, submit the following Joint Stipulation to Amend Scheduling Order.

IT IS HEREBY STIPULATED AND REQUESTED that the Court enter an Order adopting the following schedule:

### **DISCOVERY**

1. Defendant shall produce all documents relevant to its seven most recently disclosed witnesses and produce these witnesses for deposition on or before August 25, 2014.

### **EXPERT REPORTS AND DISCLOSURES**

2. Defendant disclosed on May 14, 2014 non-damages expert(s) who were not previously disclosed. Plaintiffs shall have until June 30 to disclose their responsive experts and any reports prepared responding to opinions disclosed by Defendant's newly disclosed expert(s).

3. The parties shall complete expert discovery, including the depositions of all disclosed experts on or before August 25, 2014.

### **LAW & MOTION AND PRE-TRIAL PROVISIONS**

4. Motions for Summary Judgment shall be filed on or before August 27, 2014, and any memorandum of points and authorities shall not exceed 25 pages.

5. Oppositions to a Motion for Summary Judgment and a party's Daubert Motion to Exclude Evidence proffered in support of a Motion for Summary Judgment shall be filed on or before September 26, 2014, and any memorandum of point and authorities shall not exceed 25 pages.

1           6.       A party's Daubert motion to exclude expert opinions in support or opposition  
2 to a Motion for Summary Judgment or Motion to Decertify shall state the movants  
3 objections to all of the opposing party's experts in single moving, opposition and reply  
4 briefs. There shall not be separate Daubert motions or briefs filed to oppose an individual  
5 expert's opinion. No party shall submit more than one Daubert brief with regard to an  
6 individual expert (i.e. if an expert is the subject of a Daubert motion in support of or  
7 opposition to a Motion for Summary Judgment, the same expert shall not be addressed in a  
8 Daubert brief in support of or opposition to a Motion to Decertify, except that the party  
9 who moved against an expert supporting or opposing summary judgment may reference  
10 that motion in support of or opposition to a Motion to Decertify).

11           7.       Each Motion for Summary Judgment reply brief and a party's Daubert  
12 Motion to Exclude Evidence proffered in opposition to a Motion for Summary Judgment  
13 shall be filed on or before October 8, 2014, and not exceed 25 pages.

14           8.       Opposition briefs regarding a Daubert Motion to exclude evidence submitted  
15 in support of a party's Motion for Summary Judgment shall be filed on or before October  
16 8, 2014, and shall not exceed 25 pages.

17           9.       Daubert Motion reply briefs, in support of a motion to exclude evidence in  
18 support of a party's motion for summary judgment, and Opposition briefs regarding a  
19 Daubert Motion to exclude evidence submitted in opposition to a party's Motion for  
20 Summary Judgment shall be filed on October 17, 2014, and said brief shall not exceed 25  
21 pages.

22           10.      Daubert Motion reply briefs in support of a motion to exclude evidence in  
23 support of a party's opposition to a Motion for Summary Judgment shall be filed on  
24 October 23, 2014.

25           11.      The hearing on the Motions for Summary Judgment shall be November 3,  
26 2014, or later as the Court prefers.

12. Defendant's Motion to Decertify shall be filed on or before September 8, 2014, and said brief shall not exceed 25 pages.

13. Opposition to Defendant's Motion to Decertify and Plaintiffs' Daubert Motion to Exclude Evidence proffered in support of Defendant's Motion to Decertify shall be filed on or before October 6, 2014, and each such brief shall not exceed 25 pages.

14. Reply briefs in support of Defendant's Motion to Decertify and Defendants' Daubert Motion to Exclude Evidence proffered in Opposition to the Motion to Decertify shall be filed on or before October 17, 2014, and said brief shall not exceed 25 pages.

15. Defendant's opposition to Plaintiffs' Daubert Motion to exclude evidence proffered in support of Defendant's Motion to Decertify shall be filed on or before October 17, 2014, and said brief shall not exceed 25 pages.

16. Plaintiffs' reply brief in support of its Daubert Motion to exclude evidence in support of Defendant's Motion to Decertify and Plaintiffs' opposition to Defendant's Daubert Motion to exclude Plaintiff's evidence in opposition to Defendant's Motion to Decertify shall be filed on or before October 24, 2014, and shall not exceed 25 pages.

17. Defendant's reply brief in support of its Daubert Motion to exclude Plaintiffs' evidence in support of Plaintiffs' opposition to Defendant's Motion to Decertify shall be filed on or before October 30, 2014, and shall not exceed 25 pages.

18. The hearing on Defendant's Motion to Decertify and the Defendants and/or Plaintiffs' Daubert Motion to Exclude Evidence shall be set for November 10, 2014, or later, as the Court prefers.

19. The parties' Daubert Motions to Exclude evidence at trial shall be filed on or before September 22, 2014, and said briefs shall not exceed 25 pages.

20. The parties' oppositions to Daubert Motions to Exclude evidence at trial shall be filed on or before October 27, 2014, and said briefs shall not exceed 25 pages.

21. The parties' replies in support of their Daubert Motions to Exclude evidence at trial shall be filed on or before November 10, 2014, and said briefs shall not exceed 25

pages.

22. The hearing on the parties' Daubert Motions to Exclude evidence at trial shall be set for November 24, 2014, or later, as the Court prefers.

23. The parties shall conduct and complete mediation on or before September 30, 2014.

**PRE-TRIAL DATES**

24. The last day to comply with Pretrial Disclosures shall be December 12, 2014.

25. The last day to lodge the Final Pretrial Order with the Clerk shall be December 12, 2014.

26. The last day to file and serve the Joint List of Exhibits and the List of Trial Witnesses shall be December 15, 2014.

27. The Pre-Trial Conference shall take place on January 5, 2015, at 8:30 a.m., in Courtroom 9A.

28. The last day for each party to file and serve its Trial Brief shall be January 6, 2015.

29. Trial shall commence before the Honorable David O. Carter, United States District Court Judge, on January 13, 2015, at 8:30 a.m., in Courtroom 9A.

DATED: June 23, 2014

**JONES DAY**

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1 DATED: June 23, 2014

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*Counsel for Plaintiffs and the Class*

**SIGNATURE ATTESTATION**

I hereby attest that I have written permission to file this document on behalf of each party whose signature is indicated by a “conformed” signature (/s/) within this e-filed document.

DATED: June 23, 2014

Respectfully Submitted,

**LIEFF CABRASER HEIMANN &  
BERSTEIN, LLP**

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